



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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B-162021

October 31, 1967

On file HHS release instructions apply.

Dear Mr. Secretary:

Letter dated July 11, 1967, from the Acting Secretary of Health, Education, and Welfare, concerns the payment of parking fees incident to the use of privately owned automobiles on official business.

The Acting Secretary states that a question has arisen as to whether parking fees may appropriately be paid or reimbursed in situations where the employee rents a parking space at his official headquarters and utilizes that space both for his personal use and for purposes of official travel. Certain district office employees of the Social Security Administration who are required to perform frequent official travel by use of automobile have rented parking spaces near their offices at monthly rates which are perhaps half of what the daily rate would amount to over an entire month. In those instances where employees have rented parking spaces at monthly rates, they have done so because free parking was not available within several blocks of the offices and it is usually necessary when performing travel to carry materials such as supplies of pamphlets, administrative forms, claims folders, and visual aid material between the office and the automobile.

The Acting Secretary states that the use of free parking space located more remotely from the office would invariably entail a loss of productive time, the cost of which would frequently equal or exceed the cost of parking fees incurred at nearby parking facilities. He further states that it is desirable for these employees to have their automobiles immediately available for use, should the necessity arise, even on those days when travel is not planned in advance.

Under these circumstances our decision is requested on the following questions:

"1. May the costs of employee parking at headquarters on a monthly rate basis be reimbursed for those days on which the employee must use his automobile for official travel?

"2. If your answer to the above question is in the affirmative, then (a) may the costs of employee parking at headquarters be reimbursed on a monthly basis where the monthly rate is less than the costs based

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on daily and hourly rates for those days on which the employee must use his automobile for official travel, or (b) should the costs be reimbursed on a prorata basis for the actual number of days during the month on which the employee must use his automobile for official travel?

"3. If your answer to number 2.(a) is in the affirmative, may reimbursement on a monthly rate be made on the basis of a determination by the officer approving the reimbursement voucher that reimbursement on a monthly rate is advantageous to the U.S., so as to avoid the recordkeeping, computations, and reviews necessary to establish actual comparative costs?

"4. If your answer to number 1. above is in the negative, then, where necessary, may the Social Security Administration directly rent on parking lots near its district offices a minimum number of spaces in which employees may park on days when their automobiles will be required for official travel?"

Section 5704, title 5, United States Code, authorizes payment on a mileage basis for the use of privately owned automobiles by employees when engaged on official business within or outside their designated place of service, and in addition authorizes reimbursement for parking fees. Section 3.5c(1) of the Standardized Government Travel Regulations provides, in part, that:

"Reimbursement for the cost of automobile parking fees, ferry fares, and bridge, road and tunnel tolls also will be allowed unless the travel order or other administrative determination restricts their allowance.
* * *

It is clear that under the above-cited code provision and regulations an employee who is authorized to use his car on official business may be reimbursed for the cost of parking fees. We would not object to the costs of employee parking at his headquarters on a monthly basis being reimbursed (on the basis set forth in our answer to question two) for those days on which the employee uses his automobile for official travel, provided it be determined administratively that the use of the rented

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parking space by each of the employees concerned is necessary because of official business and a factual determination of advantage to the Government is made. We do not believe that any such policy should be applied to situations of conjectural advantage or necessity. To apply it in the latter class of cases could result in the Government assuming the cost of parking fees in a variety of situations not contemplated by your questions and our views as herein expressed. The first question is answered accordingly.

As to question two, 5 U.S.C. 5704 authorizes reimbursement of the cost of parking fees. Accordingly the cost of employee parking should be reimbursed on a pro rata basis for actual number of days during the month the employee used his automobile for official travel, based on the monthly parking rate paid by such employee. For example, if an employee uses his car on official business 12 days during a 31 day month, he may be reimbursed 12/31 of the monthly parking rate. Question number two is answered accordingly.

In view of our answers to questions one and two, answers to questions three and four are unnecessary.

Sincerely yours,

FRANK H. WEITZEL

Assistant Comptroller General
of the United States

The Honorable
The Secretary of Health,
Education, and Welfare

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